IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO.634 OF 2004

IN

SUM. SUIT NO. 979 OF 2003

M/s. TLG India Pvt. Ltd., .. Plaintiff.

vs.

Videocon International

Ltd., .. Defendants.

Ms. A.S. Kaushik for plaintiff.

Mr. M.A. Sayyed i/by Ram & Co.

for defendants.

CORAM : S.U. KAMDAR, J.

DATE : 19th SEPTEMBER, 2005.

P.C.:

. The present suit is filed in respect of the advertisement charges which are due and payable by the defendant to the plaintiff under the written agreement which is at page no. 12 of the plaint. There is invoice for Rs. 20,89,500.00. After giving credit to the amount paid, the suit is field for the sum of Rs. 1,37,943.45.

2. The only defence raised by the defendants is that by way of an order passed in Company Petition No. 121 of 2003 the Court has directed him to pay certain amount which he has paid. I have perused the said order passed by the Company Judge the order of the learned Single Judge makes it clear that in respect of this claim he is expressing no opinion and the matter to be heard by this Court on its own merits. The plaintiff has explained that the said amount was paid the defendant in the company petitioner which was over and above the amount due and payable as mentioned in the present suit. In that view of the matter, I find no defence in the present suit. Summons for judgement is made absolute. Suit is decreed. Refund as per law.